47

REMARKS

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LONDON:
PRINTED FOR T. CADELL IN THE STRAND.

M.DCC.LXXXI.

1883 Dec. 22.
Cooke Bequest.

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REMARKS, &c.

THE Dutch having in their conduct trampled on the rights, proceed in their manifeſto, to inſult the underſtanding, of the Engliſh nation.

At the opening of their manifeſto, they affect to declare, "That from the "beginning of the diſputes which had "ariſen between this kingdom and "its American colonies, their High "Mightineſſes had taken the firm and "determined reſolution to adopt, and "ſtrictly adhere to, the moſt exact "neutrality."—And "that their High "Mightineſſes

" Mightineſſes ſent the moſt exact or-
" ders to all commanders and governors
" of their colonies and ſettlements, as
" well to the commanders of their
" ſhips of war, carefully to abſtain from
" doing, in regard to the American flag,
" any thing from which could be juſtly
" inferred or deduced an acknowledge-
" ment of the independancy of the ſaid
" colonies." The beſt comment on this verbal kindneſs, this declamatory cordiality, will be found in the Hollanders' actual treatment of Paul Jones, as related by themſelves. " Their High
" Mightineſſes had for many years be-
" fore given general poſitive orders for
" the admiſſion into their ports of all
" privateers and armed ſhips, with their
" prizes; orders which have been ob-
" ſerved and executed without the leaſt
" exception. In this caſe, their High
" Mightineſſes could not deſiſt from
" ſuch orders in regard to an armed
" ſhip, which, provided with a commiſ-
" ſion

Reception of Paul Jones.

" ſion from the American congreſs, was " in the Texel, together with the fri- " gates of a ſovereign power, without " aſſuming the part of judges, and " giving a deciſion in a matter which " their High Mightineſſes were not " obliged to take any cognizance of." Armed veſſels, bearing no commiſſion from any acknowledged government, are treated as pirates by all governments. To receive armed veſſels, of courſe, by virtue of a commiſſion from inſurgents, acknowledges thoſe inſurgents to be independant, and breathes defiance * againſt the parent

* Queen Elizabeth, as long as ſhe continued in amity with Philip II. never conceived the avowed reception of the veſſels of Philip's malecontent ſubjects compatible with ſuch a ſtate. Upon Philip's repreſentations, ſhe ordered the obnoxious veſſels to depart from her harbours.

In a more recent inſtance, the French, while they preſerved the ſmalleſt appearance of friendſhip with this nation, profeſſed a conſtant diſavowal of the entertainment afforded in their ports to American veſſels.

ſtate.—But the Dutch, as if the rights of this kingdom were not worthy examination, decline the diſcuſſion of the ſubject, and profeſs reluctance "to give a deciſion on a matter "of which their High Mightineſſes "were not obliged to take any cog-"nizance;" forgetting that in their reception of Paul Jones, they had ipſo facto decided the point, and notoriouſly recognized the independance of our diſloyal ſubjects.—We have hitherto conſidered only their own repreſentation of their conduct on this occaſion; if, in addition to this, we recollect what the Britiſh manifeſto ſtates, and which the Dutch manifeſto does not pretend to deny, "That a part of Paul Jones's "crew was permitted to mount guard "in a fort in the Texel," what words will be able to expreſs our indignation? How incompatible is ſo groſs an outrage with the profeſſions of neutrality hung out in the introduction of the

Dutch

Dutch manifeſto!—If the flagrancy of the affront did not excite the ſtrongeſt emotions of reſentment, it would, in ſome meaſure, be matter of ridicule, to hear the Dutch recommending to the governors of their diſtant provinces, a ſacred obſervance of the Britiſh claims, which claims they in the heart of their empire publicly defy; and guarding, in profeſſion, againſt the infringement of our rights even "by inference or de-"duction," while they directly and avowedly ſet our rights at nought.

Conduct of the Dutch in the Weſt Indies.

The Britiſh manifeſto complains, "That in the Weſt Indies, particularly "at St. Euſtatia, every protection and "aſſiſtance has been given to our rebel-"lious ſubjects. Their privateers are "openly received into the Dutch har-"bours, allowed to refit there, ſup-"plied with arms and ammunition, "their crews recruited, their prizes "brought in and ſold; and all this in "direct violation of as clear and ſolemn

" ſtipulations as can be made." The Dutch manifeſto ſtates " That their " High Mightineſſes having received a " memorial, preſented by the Britiſh " ambaſſador, full of the heavieſt com- " plaints againſt the governor of St. " Euſtatia, condeſcended to deliberate " on the ſaid memorial: the conſe- " quence of the ſaid deliberation was " the immediate recall of the ſaid go- " vernor, whom their High Mighti- " neſſes called to account for his con- " duct, and who was not permitted to " return to his reſidence till he had " cleared himſelf of all the charges " brought againſt him before a court " of juſtice." With how much accu- racy and impartiality this court of juſ- tice conducted its inquiry, has been ſince ſet in the cleareſt light, by the cap- ture of St. Euſtatia. That iſland was found to be an immenſe American ma- gazine; the ſtorehouſe and arſenal of our diſaffected ſubjects; where piracy depoſited

depoſited its prey; where rebellion borrowed its panoply; and where an accumulation of American property, beſpoke length and intimacy of commercial intercourſe.

Capture of naval ſtores.

A treaty concluded between England and the States General, in February 1674, ſtipulates in a ſecret Article "That "neither of the contracting parties ſhall "furniſh, nor conſent that the ſubjects "and inhabitants of their reſpective ter-"ritories do furniſh, any ſhips, ſoldiers, "ſeamen, victuals, monies, inſtruments "of war, gunpowder, or any other "thing neceſſary for making war, to the "enemies of the other party, of any "rank or condition whatſoever." How far in a maritime war, ſuch as the preſent between France and England, naval ſtores come under the deſcription "of "a thing neceſſary for making war," common ſenſe can as effectually determine as the moſt refined caſuiſtry. The Dutch themſelves, indeed, aware of the

import of the ſecret article, content themſelves with pleading exemption from its operation: they ſuggeſt, that in the war which terminated in the peace of Nimeguen, the Engliſh enjoyed the privilege of ſupplying their enemies with naval ſtores, and ought in return to allow them in the preſent war a ſimilar indulgence. But is it not well known, that the war alluded to by the Dutch, was carried on entirely by land; and that Lewis XIV. made no effort in it whatever againſt the Dutch by ſea? In a war of this complexion, could Lewis's acquiſition of nautical materials have the ſlighteſt effect on his military exertions, or communicate to them the remoteſt energy? A ſupply, in fact, of naval ſtores, borrows its character in war entirely from the nature and ſpecies of the war: while operations are confined to the inland country, ſuch ſupply is totally inoffenſive; but, when hoſtilities ſhift to the ocean, it falls, in the ſtricteſt ſenſe, under

der the denomination of "a neceſſary for making war."

A treaty entered into between England and the States General, in December 1674, allows the conveyance of ſeveral naval articles into the dominions of powers at enmity with either of the two ſaid ſtates, "except to towns or places "beſieged, blocked up, or inveſted." The blocking up of a place, let it be obſerved, is ſuch a watching of a place as is calculated to prevent either the exertion or reinforcement of the hoſtile ſtrength contained in the place. The hoſtile ſtrength of ſea ports conſiſts principally in maritime equipments; of thoſe equipments, the nouriſhment and reinforcement are naval ſtores. When therefore the ports of any country are attempted * to be deprived of nautical com-

* How lax in operation, and how comprehenſive in ſcope, a blockade of ports is, in the opinion of the Dutch themſelves, appeared from their publicly declaring to neutral powers in 1689, "That they in-"tended to block up all the French ports."

modities,

modities, ſuch ports are, in their maritime capacity, literally and unequivocally under blockade.

Though naval ſtores ſeized on their way to France in Dutch bottoms, are by the treaties juſt now deſcanted on, clearly liable to confiſcation, ſtill were the Engliſh far from being inclined to avail themſelves of the extended rigour of the ſaid treaties, and regularly paid an equivalent for intercepted cargoes. The Engliſh, in a word, were bent not on puniſhing their perfidious allies, but on diſarming their avowed enemies; and ſought only ſafety, not revenge.—Subſequently indeed, when a fleet, loaded with maritime articles, was openly eſcorted by a national armament of the States General, a ſtrict enforcement of the treaties in queſtion became neceſſary, in order to declare our ſenſe of the ſaid treaties. The veſſels accordingly under convoy of Admiral Byland, were pronounced prizes.

With

With regard to the pretended violations of the Dutch territories, at the Iſlands of St. Martin and Goederlede, it will be ſufficient to obſerve, that the irregularities of ſingle ſhips or ſquadrons have always been remarkably diſcouraged by the Engliſh government. But when the Engliſh nation is on the eve of being forced into a war, at this criſis (to uſe the language of the Dutch manifeſto, in anſwer to our requiſition of ſuccours) "there are events, which, as they re-" quire deliberations of a different kind, " put an end to thoſe which are held " in conſequence of" pretended irregularities. Violations of the Dutch territories.

The Dutch, in their mention of the armed neutrality, ſeem to lament that we did not allow them time to ſhelter under the wing of a recent confederacy their profligate violation of ancient treaties! Armed neutrality.

To his Britannic Majeſty's propoſal for ſubjecting the treaties, whoſe infringement Amicable conference.

fringement is complained of, to the examination of an amicable conference, it is inſolently replied, that the treaties in queſtion are too clear to require diſcuſſion. This ſcheme of reaſoning will evidently enable the Dutch to affix their own meaning to whatever treaties they engage in.——When two independant powers diſagree about the purport of a contract ſubſiſting between them, to what poſſible criterion can they appeal for the adjuſtment of their difference, except to an amicable conference, or the arbitration of ſome neutral ſtate?

Requiſition of ſuccours.

Our requiſition of ſuccours under a treaty of 1678, is repelled by a ſuggeſtion, that our infringement of that treaty in commercial reſpects, has forfeited our title to its defenſive ſtipulations. Our alledged infringement they, who reap the benefit of the forfeiture incurred by ſuch infringement, aſſume alone the privilege of aſcertaining: they reject all

reference on the ſubject, and unite in themſelves the incompatible characters of parties and judges.——As an additional reaſon for withholding from us the aids preſcribed by the defenſive part of the treaty of 1678, the Dutch urge, that our application for the ſaid aids had not been made, " till the " declaration of the court of Spain had " encreaſed the number of the belligerent powers." As if the treaty in queſtion had not expreſsly left each party the power of determining the proper time * of recurring to the ſaid treaty: or as if our claim to ſuccour under the ſaid treaty, decreaſed in exact proportion with the increaſe of our difficulties.—Diſſatisfied, ſeemingly, themſelves, with the two evaſions of the defenſive treaty now conſidered, the

* " The party of the allies that is not attacked " ſhall be obliged to break with the aggreſſor within " two months after the party attacked ſhall require."

Dutch proceed to aſſert their right, as an independant power, of pauſing over every application for aſſiſtance, and of thoroughly canvaſſing every claim to national exertion. This privilege of deliberation took, let us obſerve, a ſcope of two years, without arriving at determination: it neither ſympathized with our diſtreſs, nor was quickened by the urgency of our remonſtrances. Now, if the anſwer to a demand of aid under a defenſive treaty may, conſiſtently with ſuch treaty, be indefinitely poſtponed, ſuch treaty becomes evidently a mere chimera, the object of illuſive hope, the ſource of grievous diſappointment. By ſimply deferring the aids ſtipulated beyond the juncture in which they can be ſerviceable, ſuch treaty may in all caſes be rendered abſolutely and completely nugatory.

Inland carriage of naval ſtores.

The Britiſh court alledges in its manifeſto, "That inland duties have been "taken off for the ſole purpoſe of fa-

" cilitating the carriage of naval ſtores " to France." The Dutch manifeſto (previous to a denial of the final eſtabliſhment of ſuch a regulation) urges, " That the ſaid ſuppreſſion of duties on " exports, is an object which reſpects " the interior regulation of commerce, " to which all ſovereigns have an un- " controverted right." To this it may be replied, that when a ſovereign power engages " that it will not furniſh, nor " permit its ſubjects to furniſh, certain " articles to powers of a certain de- " ſcription," ſuch ſovereign power does, in that particular, clearly tie up and renounce its free agency, as well in reſpect of internal as external regulations, and peremptorily precludes itſelf from every meaſure tending to unfetter its obligation.

Behaviour of the Dutch in the Eaſt Indies.

The complaints of the Engliſh relative to the behaviour of the Dutch in the Eaſt Indies, are confronted by the Dutch with counter-accuſations; which

of the two charges is beſt founded a ſhort time will probably unfold.

Treaty of the Dutch with the American congreſs.

The moſt flagrant inſtance of Dutch perfidy remains to be conſidered: it is thus detailed in the Britiſh manifeſto, "Whoſe (*viz.* the leading magiſtrates "of Amſterdam) correſpondence with "our rebellious ſubjects, was ſuſpected "long before it was made known by the "fortunate diſcovery of a treaty, the "firſt article of which is, *There ſhall "be a firm, inviolable, and univerſal "peace and ſincere friendſhip between "their High Mightineſſes the eſtates of "the Seven United Provinces of Holland, "and the United States of North Ame-"rica, and the ſubjects and people of the "ſaid parties, and between the countries, "iſlands, cities, and towns, ſituated un-"der the juriſdiction of the ſaid United "States of Holland and the ſaid United "States of America, and the people and "inhabitants thereof of every degree, with-"out exception of perſons or place.* This

"treaty

" treaty was ſigned in September 1778,
" by the expreſs order of the penſionary
" of Amſterdam, and other principal
" magiſtrates of that city. They now
" not only avow the whole tranſaction,
" but glory in it; and expreſsly ſay
" even to the States General, *that what*
" *they did, was what their indiſpenſable*
" *duty required.*" The ſolemn treaty, from whence the above article was extracted, the Dutch, in their manifeſto, careleſsly ſtyle " The project of an
" eventual treaty with North America,
" framed by a member of the govern-
" ment of Holland, without the ſanc-
" tion of any public authority." But when we conſider the deciſive lead, which the government of Holland is allowed to take in the councils of the States General, and that whatever meaſure is eſpouſed by the former body is ſure to be obtruded on the latter, is it poſſible for any nation, moderately attentive to its ſafety, not to eſteem the

adoption

adoption of hoſtile ſchemes by the government of Holland, as an infallible ſignal for war with the States General?

The States General, however, in their manifeſto, perſevere in diſavowing the treaty in queſtion; and make ſome ſlight mention of ſubjecting the framer of it to a judicial proceſs. But while they talk of chaſtiſing, they cannot forbear thus to apologize for the ſaid offender. "Which negociation intended to lay "the plan of a treaty of commerce be- "tween the Republic and the ſaid co- "lonies *caſu quo*, that is to ſay, that "in caſe the independancy of thoſe "colonies ſhould be acknowledged by "the crown of England: this negocia- "tion, although conditional, and hold- "ing by a clauſe which depended on "the anterior act of His Majeſty; this "negociation, which without the ſaid "act or anterior declaration, could not "have the leaſt effect, was ſo miſcon- "ſtrued by His Majeſty, *&c.*" Our

gracious

gracious Sovereign's diſpleaſure at the grievous attack made by the American treaty on the undoubted rights of his crown, is, we ſee, in the manifeſto, imputed to miſconſtruction: that is, the outrage complained of, is evidently not deemed by the States General a proper object of reprehenſion. Does not the proceeding in queſtion, however, appear, without the ſlighteſt gloſs of miſconſtruction, full of contumely and hoſtility? For what meaſure more derogatory to the dignity of a ſovereign, than to ſuppoſe that he may be obliged to ſurrender any part of his hereditary authority? To make, again, the poſſibility of ſuch an event, the baſis of a ſolemn treaty, intimates, ſurely, a ſanguine expectation of its taking place. And how big with miſchief and injury is this intimation, when uttered by a powerful ſtate! It animates diſaffection, encourages turbulence, and diſplays to revolt

volt the ſtandard of ſupport and confederacy.

The violence, indeed, of open war, knows no expedient more fertile in annoyance, than ſuch an intimation; nor inflicts any deeper or more deadly wound.

Open war, in truth, while it threatens, admoniſhes us; and, while it announces danger, arms us for defence; it awakens caution, and kindles enterpriſe. Its undiſguiſed attacks have conſtantly excited in this nation a ſpirit of exertion adequate to their repulſe; and have always been far leſs dangerous than the inſidious minings of treachery and diſſimulation.

FINIS.